

16 AUGUST 1946

I N D E X  
Of  
WITNESSES

<u>Prosecution's Witnesses</u>	<u>Page</u>
Magee, John G. (resumed)	3918
Direct by Mr. Sutton (continued)	3918
Cross by Mr. Brooks	3923
Pu-Yi, Henry	3945
Direct by Mr. Keenan	3945

I N D E X  
Of  
EXHIBITS  
  
(none)

1 Friday, 16 August, 1946

2 - - -

3  
4 INTERNATIONAL MILITARY TRIBUNAL  
5 FOR THE FAR EAST  
6 Court House of the Tribunal  
7 War Ministry Building  
8 Tokyo, Japan

9 The Tribunal met, pursuant to adjournment,  
10 at 0930.

11 - - -

12 Appearances:

13 For the Tribunal, same as before.

14 For the Prosecution Section, same as before.

15 For the Defense Section, same as before.

16  
17 - - -

18  
19 (English to Japanese, Japanese to  
20 English, English to Chinese, and Chinese to  
21 English interpretation was made by the  
22 Language Section, IMTFE.)  
23  
24  
25

MAGEE

DIRECT

G  
r  
e  
e  
n  
b  
e  
r  
g  
&  
B  
a  
r  
t  
o  
n

1 MARSHAL OF THE COURT: The International  
2 Military Tribunal for the Far East is now in session.

3 THE PRESIDENT: All the accused except  
4 OKAWA, HIRANUMA and MATSUI are present. OKAWA,  
5 HIRANUMA and MATSUI are represented by counsel. HIRA-  
6 NUMA is still under medical treatment. I have here a  
7 certificate by the Sugamo Prison Medical Detachment.  
8 This will be recorded and filed.

9 Mr. Sutton.

10 MR. SUTTON: May it please the Tribunal.

11 - - -

12 J O H N G. M A G E E, called as a witness on behalf  
13 of the prosecution, resumed the stand and  
14 testified as follows:

15 DIRECT EXAMINATION (Continued)

16 BY MR. SUTTON:

17 Q Mr. Magee, at the time of the adjournment of  
18 the Tribunal on yesterday, you were telling of taking  
19 a fifteen year old girl to the hospital. You may  
20 complete your answer to the question: "What was the  
21 action of the Japanese soldiers toward the women and  
22 children in the city of Nanking after they were in  
23 occupation of that city?"

24 A I took this girl to the hospital at some time  
25 in February, 1938. I talked to her then at length and

MAGEE

DIRECT

1 then saw her many times after that. She was from the  
2 city of Wufu, about sixty miles from Nanking. Japanese  
3 soldiers came to her home -- her father was a shop-  
4 keeper -- accused her brother of being a soldier, and  
5 killed him. The girl said her brother was not a sold-  
6 ier. They killed the brother's wife because she re-  
7 sisted rape; they killed her older sister because she  
8 resisted rape. In the meantime her old father and  
9 mother were kneeling before them, and they killed them,  
10 all of these people being killed with a bayonet.

11 The girl fainted. They carried her to some  
12 barracks of some kind where they kept her for two  
13 months. The first month she was raped repeatedly,  
14 daily. They had taken her clothes away from her and  
15 locked her in a room. After that she became so diseased,  
16 they were afraid of her, and she was sick there for a  
17 whole month. One day, when she was weeping, a Japanese  
18 officer came in and asked her what was wrong. She told  
19 him her story. He took pity on her and took her in his  
20 car to Nanking, sixty miles away, and wrote on a card,  
21 "Gingling College", evidently knowing we were taking  
22 girls there. It was there that I picked her up and  
23 took her to the hospital in our mission car.

24 Some time in January or early February I went  
25 out to the village of Tsih Sha Shan, fifteen miles away



MAGEE

DIRECT

1 from the city wall of Nanking. Here was a cement  
2 factory which was in charge of a German and a Dane.  
3 It was under a German flag, and there were ten thousand  
4 refugees there. I met that night with the village  
5 elders of many villages surrounding -- in that area,  
6 at least ten and more; probably twenty village elders.  
7 Everywhere the same kind of things were happening that  
8 were happening in Nanking. These village elders told  
9 me the problem then was that the men were afraid to  
10 leave this refugee zone -- this refugee place because  
11 the Japanese soldiers would come demanding women, and  
12 then they would be shot if they didn't produce women.

13 Q Mr. Magee, what was the action of the Japan-  
14 ese soldiers toward property in the city of Nanking  
15 after they were in occupation of that city?

16 A The Japanese soldiers took from the people  
17 anything that struck their fancy: wristwatches,  
18 fountain pens, money, clothing, food. I took to the  
19 hospital in those first few days of occupation a half-  
20 witted woman of forty-one who was stabbed in the neck  
21 because she grabbed at some bedding that a Japanese  
22 soldier was taking away from her. Japanese soldiers  
23 paid absolutely no attention to their own consular  
24 notices about foreign property or to the American  
25 Embassy notices about foreign property.

MAGEE

DIRECT

1           Some time, I don't know just when, I saw  
2 Japanese soldiers carrying off a truckload of frigi-  
3 daire electric ice boxes from a Chinese store on  
4 Chung Shan Road. On December 21, practically all the  
5 foreigners in the city signed a petition to the  
6 Japanese authorities and took it in person to the  
7 Japanese Embassy, beseeching them in the name of hu-  
8 manity to stop the senseless burning of the homes of  
9 the people. The burning continued day by day in dif-  
10 ferent parts of the city. One of our own Episcopal  
11 church missions was partly burned, and later on they  
12 finished the job on January 26. The Christian Dis-  
13 ciples Mission was burned -- one of their school  
14 buildings was burned, the YMCA, the Russian Embassy,  
15 and a great many homes of the people outside of our  
16 **Safety Zone**. Every once in a while these soldiers  
17 would leave behind little black sticks of some sub-  
18 stance which may have been termite. It was highly  
19 inflammable, and it was no doubt what they were using  
20 to set fire to the buildings.

21           Q   How long did the action, which you have  
22 described on the part of Japanese soldiers toward  
23 civilians in the city of Nanking and toward the prop-  
24 erty in that city, continue following the fall of that  
25 city?

MAGEE

DIRECT

1           Some time, I don't know just when, I saw  
2 Japanese soldiers carrying off a truckload of frigi-  
3 daire electric ice boxes from a Chinese store on  
4 Chung Shan Road. On December 21, practically all the  
5 foreigners in the city signed a petition to the  
6 Japanese authorities and took it in person to the  
7 Japanese Embassy, beseeching them in the name of hu-  
8 manity to stop the senseless burning of the homes of  
9 the people. The burning continued day by day in dif-  
10 ferent parts of the city. One of our own Episcopal  
11 church missions was partly burned, and later on they  
12 finished the job on January 26. The Christian Dis-  
13 ciples Mission was burned -- one of their school  
14 buildings was burned, the YMCA, the Russian Embassy,  
15 and a great many homes of the people outside of our  
16 **Safety Zone**. Every once in a while these soldiers  
17 would leave behind little black sticks of some sub-  
18 stance which may have been termite. It was highly  
19 inflammable, and it was no doubt what they were using  
20 to set fire to the buildings.

21           Q   How long did the action, which you have  
22 described on the part of Japanese soldiers toward  
23 civilians in the city of Nanking and toward the prop-  
24 erty in that city, continue following the fall of that  
25 city?

MAGEE

DIRECT

1           A     After about six weeks it began to taper off  
2     although many things happened -- individual things  
3     happened after that.

4           Q     Were you a member of the International  
5     Committee for the Nanking Safety Zone?

6           A     I was, and I was also Chairman of the Inter-  
7     national Red Cross Society for Nanking, and that was  
8     the reason why I was brought in such constant touch  
9     with the hospital.

10          Q     Who was the Chairman of the International  
11     Committee for the Nanking Safety Zone?

12          A     Mr. Rabe, a German.

13          Q     And who was the Secretary of that Committee?

14          A     Mr. Louis Smythe, an American teacher.

15          Q     Did that Committee make reports from time  
16     to time to the Japanese consular authorities as to  
17     what was happening to the civilian population in  
18     the city of Nanking?

19          A     They did, daily reports almost; and many of  
20     us in addition went in person, as I did myself many  
21     times, to the Japanese Embassy to tell of individual  
22     cases of outrage.

23          Q     When did you leave Nanking?

24          A     I left Nanking on my regular furlough in  
25     May, 1938, returned to the city in May, 1939, and left



MAGEE

CROSS

1 finally in May, 1940.

2 Q What is your occupation at present?

3 A I am at present the Minister to the Episcopal  
4 students at Yale University in New Haven, Connecticut.

5 MR. SUTTON: The defense may cross-examine  
6 the witness.

7 THE PRESIDENT: Captain Brooks.

8 MR. BROOKS: Mr. President.

9 CROSS-EXAMINATION

10 BY MR. BROOKS:

11 Q Mr. Magee, what was the approximate population  
12 of the city there when the Japanese entered around the  
13 13th of December? Was there approximately two hundred  
14 thousand, or was it more or less in that number?

15 A It was absolutely impossible to say. I re-  
16 member talking to some of the members of our Committee.  
17 We estimated that about two hundred thousand came into  
18 our Safety Zone alone. Many more people were outside.  
19 I should say that at least three hundred thousand people,  
20 and perhaps more, were there. How many were outside the  
21 city walls, I couldn't tell you.

22 Q Now, after a few weeks, when the people out-  
23 side of the walls came back in, what was the approxi-  
24 mate population? Did it increase to approximately  
25 five hundred thousand more or less, and were all of



MAGEE

CROSS

1 these people civilians?

2 A Certainly, I should say that there were not  
3 five hundred thousand people in the city a few weeks  
4 after the Japanese were there. In fact, the people  
5 I personally knew, there were just only two or three  
6 that happened to come back in the city again. The  
7 people had largely fled into the interior.

8 Q You say these two or three came back that  
9 you knew of. Now, there was an increase of some of  
10 the people returning to the city. Now, my question  
11 is: Were there any soldiers -- Chinese soldiers in  
12 that group?

13 A I take it you mean the people that I knew  
14 personally that were soldiers.

15 Q Or otherwise, if you know.

16 A I don't remember hearing of any soldiers  
17 coming back.

18

19

20

21

22

23

24

25

MAGEE

CROSS

W  
o  
l  
f  
&  
S  
p  
r  
a  
t  
t

1 Q However, we could not say that all those re-  
2 turning were not soldiers, all returning were civilians,  
3 and there were not some soldiers in there; is that  
4 correct?

5 A I would have no way of knowing that. I didn't  
6 happen to talk to any who said they were soldiers.

7 Q Mr. Magee, you stated that there was a Consul  
8 General TANAKA whom you talked to from time to time.  
9 What was his first name?

10 A I do not know his first name. I thought at  
11 the time he was Consul General because he was the one  
12 that met with me all the time, but I learned since I  
13 came here, from a Japanese who had been in some kind  
14 of public service there, that he was not Consul General;  
15 he was Vice Consul, I think.

16 Q His last name was TANAKA though; is that  
17 correct?

18 A That is right.

19 Q And in December, 1937, he was there. Where  
20 was his offices there in Nanking?

21 A He came in after the Japanese Army had come in,  
22 shortly afterwards.

23 Q You stated that he showed an inclination to  
24 help you prevent certain outrageous acts. Were there  
25 any other Japanese officers or soldiers inclined to

MAGEE

CROSS

1 help you with these outrages, or give you any coopera-  
2 tion; either you or your committee?

3 A I think in general the consular officials and  
4 the Embassy people did want to help us. I met others  
5 -- Mr. FUKUDA and others whose names I have forgotten --  
6 but I mentioned TANAKA because he was the one that al-  
7 ways dealt with me.

8 Q Did they appear to be embarrassed by their  
9 lack of ability to put a stop to these acts?

10 A I would say yes. One day I was in a place  
11 where Japanese soldiers were taking motor cars --  
12 where I went with TANAKA -- whether we met there I  
13 have forgotten, but he was there, I remember dis-  
14 tinctly, and he seemed to me to be remonstrating --  
15 I don't know what he was saying -- he was visibly  
16 embarrassed. He seemed to me to be embarrassed in  
17 my presence because they paid no attention to him.

18 Q Now, Mr. Magee, you do not intend to imply  
19 that every Japanese officer and soldier in that area  
20 committed outrages of the kind you have described?  
21 In other words, everyone of them was not guilty of such  
22 outrageous conduct? Is it not true it was just a  
23 certain criminally inclined personnel in the area?

24 A I met a few Japanese soldiers that I thought  
25 were decent, but the great majority of them were as

MAGEE

CROSS

1 I have been stating.

2 Q Now, did you know the Provost Marshal there  
3 or the head of the military police Kempeitai; did you  
4 know him, meet him, know his name?

5 A I saw some of those men, but I don't remember  
6 a single name. I didn't have as much contact with those  
7 men, except little men, as some of the others did --  
8 as Dr. Bates did. I just met consular police men and  
9 men of that kind.

10 Q Did this Provost Marshal ever meet with any  
11 of the committees -- with any of your committee meet-  
12 ings at any time to discuss the problems?

13 A He didn't meet with us at any meeting at  
14 which I was present. I don't even recall his name  
15 at all. I know that some of the men met individually,  
16 and I remember distinctly Dr. Bates met some of those  
17 men from the Consulate and talked to them.

18 Q You mean that some of these men may have  
19 visited him at his office -- discussed it?

20 A Individually at his house, I think.

21 Q Now, were there a great number of military  
22 police in the area at the first entry into the city  
23 after December 13? Were there a great number -- did  
24 you notice them -- know how many there were?  
25



MAGEE

CROSS

1           A    At first there hardly seemed to be any. I  
2 am sure there were a few, but of course we thought  
3 that our repeated requests to the Embassy -- the  
4 Japanese Embassy. Then more were brought in, and  
5 they seemed -- they said they were trying to make  
6 an effort, and they were throwing some of them as  
7 guards around certain areas in our **Safety Zone**. We  
8 were encouraged by this, and thought things were  
9 going to be better, but later on it became a kind  
10 of joke to us because these very gendarmes began to  
11 do some of the things the other soldiers were doing.

12           Q    Did they put up any off-limit signs, or make  
13 any attempts of that nature to restrict activities of  
14 the soldiers?

15           A    I don't remember any such signs. The only  
16 signs I distinctly remember were the consular signs  
17 put up by consular police about foreign property.

18           Q    Was any of the Chinese police utilized by  
19 the military government officials of Japan there in  
20 maintaining order?

21           A    Not that I know of at the start. A great  
22 many of the Chinese police were killed. We had a few  
23 as our **Safety Zone** police, unarmed; we kept them in  
24 our headquarters. But I did remember talking to one  
25 policeman on the street in Nanking in 1940, who told



MAGEE

CROSS

1 me that he had been a policeman, and he said --  
2 in the old government of just one man -- and he  
3 said, "This is simply a rice bowl for me." The man  
4 that I talked to in 1940, if I remember correctly,  
5 had been one of our **Safety Zone** policeman -- we just  
6 had a few.

7 Q Now, how many of these acts of murder did  
8 you personally witness, Mr. Magee -- approximately?

9 A I thought I made that clear in my testimony.  
10 I only personally witnessed the killing of one man.

11 Q One man. Now, of the acts of rape, did you  
12 actually witness any of these acts of rape, and how  
13 many?

14 A I told in my testimony of the one man I saw  
15 actually in the act of rape. Then I told of driving  
16 off two soldiers that were on the bed of a fifteen  
17 year old girl, but I --

18 Q That would be two then, or one of rape? Would  
19 that be one of rape and one attempted rape, or two of  
20 rape that you have actually seen?

21 A I found that one man in the actual act of  
22 raping; the other two men were on the bed with the  
23 girl and ran off, and their father said they raped  
24 her before we got there.

25 Q And how many acts of robbery did you

MAGEE

CROSS

1 personally witness, whether you actually knew it was  
2 robbery or you yourself were robbed, that you can  
3 remember?

4 A I remember, as I said, of the robbing of  
5 those electric iceboxes; I saw that in the proceeds  
6 of being done. I am just trying to think if I --

7 I had a woman rush up to me -- living next  
8 door to me -- saying that "this man just took eighty  
9 dollars from me." I ran to the man, but I couldn't  
10 force him -- he looked guilty enough -- but I couldn't  
11 lay my hands on him to take away the eighty dollars  
12 that the woman said he had. There is a very real  
13 reason why I would not see more, because, oddly  
14 enough, when we would rush at these Japanese soldiers  
15 they would just enter a place and then go away. We  
16 often wondered why they could get away with so many  
17 things from women. We couldn't drive them off. We  
18 couldn't rescue men when they had a man, but with  
19 these other things they seemed to be afraid of us.

20 Q Maybe they were afraid they would be caught,  
21 they would be identified and punished by their officers;  
22 is not that possible?

23 A We thought just -- I have no proof of this --  
24 we thought that they had been given orders to leave  
25 all Americans alone, because I remember one instance

MAGEE

CROSS

1 where three of us, Podshivaloff, a Russian, my colleague  
2 Forster, and myself, were called to rescue a woman.  
3 We rushed a short space to where Japanese soldiers  
4 had been threatening a woman with a bayonet. He saw  
5 us coming, took to his heels, and left the bayonet  
6 behind. We ran after him for a whole block. We  
7 thought we would give him a good scare, and we took  
8 the bayonet.

9 Q Did this bayonet have any serial number on  
10 it or anything that would help you identify the man?

11 A We took the bayonet to the Japanese Embassy  
12 and delivered it to them. I didn't notice any number  
13 -- didn't look for one -- and told them the incident.  
14 They sent back, perhaps the next day -- I have for-  
15 gotten -- a man who spoke excellent English, and I  
16 heard he was a Nisei, and he was investigating this  
17 case, and I began to tell him of different things  
18 that had happened to me, and that I had seen. When  
19 I told him about driving the soldiers off from a  
20 woman he just began to laugh.

21 Q Now in these acts that you talked about --

22 A What was it you said, please?

23 Q On these iceboxes that you talked about,  
24 was there some indication that might indicate that  
25 they were not being requisitioned for use of Japanese

MAGEE

CROSS

1 Army troops in a legal manner? Was there something  
2 to show it was actually a looting or stealing?

3 A I took it to be a part of the wholesale loot-  
4 ing of the city.

5 Q There was no one there complaining at the  
6 time, no fighting going on between an owner and these  
7 soldiers, was there?

8 A No one ever -- it wasn't healthy for any-  
9 body to complain of anything. A half-witted woman  
10 tried to grab back her blanket, and was stabbed in  
11 the neck.

12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

MAGEE

CROSS

G  
o  
l  
d  
b  
e  
r  
g  
&  
Y  
e  
l  
d  
e  
n

1 Q Now, Mr. Magee, on this case, this one  
2 case here of murder that you personally witnessed,  
3 did you report that incident to any one of the  
4 Japanese yourself, and, if so, do you remember his  
5 name, or, if not his name, his office, his official  
6 capacity?

7 A I don't remember making an individual report.  
8 I may have added that to many things I was telling  
9 TANAKA and possibly others of the Japanese that I met;  
10 but it seems sort of -- I just don't remember report-  
11 ing that particular incident.

12 Q I see. Now, in the cases of rape and  
13 robbery, did you report those to anyone or what  
14 officer -- office would you have reported those to?

15 A I reported a number of various kinds of  
16 outrages. I couldn't tell you how many I reported  
17 to Louis Smythe--

18 Q Who?

19 A Louis Smythe, the Secretary of our Safety  
20 Zone Committee -- later we became the International  
21 Relief Committee -- but the others of them, in  
22 conversation, I remember telling Mr. TANAKA -- one  
23 case I remember telling him about; but how many --  
24 I think there were plenty of these things that I saw  
25 that I didn't report to anybody. I was so busy. I



MAGEE

CROSS

1 wasn't with the other foreigners; I was with  
2 Chinese all the time.

3 Q I am only interested, Mr. Magee, in the ones  
4 that you personally witnessed and the methods of  
5 report that were made as to those. Now did you on  
6 any of these incidents that you personally witnessed--  
7 how long a time was it after they happened before you  
8 made a report to anyone?

9 A I don't know how many I reported to Mr.  
10 Smythe, but they were available in the printed  
11 reports of that Committee and I think they would  
12 have the names of the men who reported. I remember  
13 seeing my name after some of those reports, but what  
14 I reported and what I didn't report, I couldn't tell  
15 you.

16 Q I see. Now, when these reports were finally  
17 made, did they give a detailed description of what  
18 happened, and did they give the name of the man that  
19 was accused of the act or his organizations, or his  
20 location or where he could be, anything that would  
21 help identify him?

22 THE PRESIDENT: Oh, Captain Brooks, I hate  
23 to intervene, more particularly in view of the  
24 terrible evidence that this witness has given; but  
25 those answers won't help.

MAGEE

CROSS

1 MR. BROOKS: I think they will, if your Honor  
2 will give me just a few more minutes.

3 THE PRESIDENT: I judge from your attitude  
4 that you are not really attacking the witness' cred-  
5 ibility.

6 MR. BROOKS: If the Court please, I think the  
7 witness has been very fair and I would like the  
8 Court's indulgence because I am the only defense  
9 counsel who is going to cross-examine and I have  
10 just a few points that I want to bring out. I  
11 think the Court will see if they indulge me for a  
12 few minutes.

13 THE PRESIDENT: All right.

14 MR. BROOKS: I will withdraw that question.

15 Q Now, on this instant or any of these in-  
16 stances, Mr. Magee, if I had been there present with  
17 you or afterwards when you made this report, could  
18 you have given me any information that I, as a  
19 responsible officer, could have used to identify  
20 the man that was guilty of this crime so that he  
21 could be brought to punishment?

22 A There was no way of our knowing the names  
23 or organizations of these people unless we had  
24 stopped to talk to them. They were usually running  
25 away. But we would report them, many of us reported

MAGEE

CROSS

1 these things to the Japanese Embassy. Then they  
2 would send around a man whose name I have forgotten  
3 but we all began to dislike exceedingly. He had no  
4 real intention of investigating the case. His chief  
5 desire was to find out who were our informants.

6 Q Then the big problem was that of identifying  
7 those guilty of such acts so that they could be  
8 punished, was it not?

9 A The big problem was to stop the thing com-  
10 pletely--

11 Q That is what I had in mind.

12 A (Continuing) Of course, there was no in-  
13 tention whatsoever that these men -- we had nothing --  
14 we had no indication whatever that anybody was ever  
15 punished. The only thing I ever heard of anything  
16 being done was the time an officer in Mr. Rabe's  
17 presence slapped the face of a Japanese soldier  
18 raping a woman.

19 Q Fighting continued outside of the city after  
20 the 13th of December, did it not?

21 A Of course, I'm sure that there was fighting.  
22 I knew of no -- I didn't hear of anything but I am  
23 sure there was fighting off in the country miles  
24 from Nanking; but I wasn't -- I had no knowledge of  
25 anything happening right near the city.

MAGEE

CROSS

1 Q There wasn't very constant movement of  
2 troops from the city to the fighting zones and back --  
3 other men coming back for rest and recuperation?

4 A I remember many Chinese soldiers. I was  
5 just thinking of a certain regiment from Szechuan  
6 the last day or so moving out towards one of the  
7 gates. I saw a number of the dead men of that  
8 dressed in the same way with big hats about fifteen  
9 miles from Nanking several months later, the bodies  
10 still lying there.

11 Q Was there any way to identify these troops  
12 by insignia? Did they wear any insignia so that you  
13 could tell one outfit from another?

14 A Are you speaking of Japanese or Chinese  
15 troops?

16 Q Yes, Japanese.

17 A Of course, they had some kind of tabs on  
18 them. I never paid attention to--

19 Q Some kind of what?

20 A Some kind of little soldiers' -- whatever  
21 the things were -- but I never paid any attention  
22 to them. I just didn't think of that at the time  
23 and then they would be in Japanese, in Japanese  
24 "kana" which I can't read. I just don't know that.

25 Q Then there wasn't very much to distinguish

MAGEE

CROSS

1 one soldier from another, was there, as far as you  
2 were concerned to identify them?

3 A As far as I was concerned, my chief  
4 identification was their face, and I didn't get  
5 much of a chance to see that. The one time we had  
6 one little evidence was when I took the bayonet to  
7 the Embassy that I had got.

8 THE PRESIDENT: We will recess now for  
9 fifteen minutes.

10 (Whereupon, at 1045, a recess was  
11 taken until 1100, after which the proceedings  
12 were resumed as follows:)

13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25



MAGEE

CROSS

A  
b  
r  
a  
m  
&  
M  
o  
r  
s  
e

1 MARSHAL OF THE COURT: The Tribunal is now  
2 resumed.

3 THE PRESIDENT: Captain Brooks.

4 BY MR. BROOKS: (Continued)

5 Q Mr. Magee, you were discussing before the  
6 recess this bayonet. Now, you said that you never  
7 noticed any serial numbers or things on there that  
8 would help identify this man, is that correct?

9 A Will you give me again the first sentence?

10 Q The bayonet. The bayonet as a rule don't  
11 have serial numbers or identification, and this one  
12 was similar to that, was it not?

13 A I don't remember any such thing, but if there  
14 was I just don't know.

15 Q Then there wouldn't have been any evidence  
16 that would have been of much value in identifying the  
17 man that was guilty, in that case?

18 A The reason why I took that there, I felt they  
19 would have means of finding out where it came from  
20 and could look up what soldier was minus a bayonet.

21 Q That was a very good thought, but I imagine  
22 he could have picked up another bayonet, under battle  
23 conditions, don't you, and replaced it?

24 THE PRESIDENT: I think I can safely say,  
25 Captain Brooks, that you are going into too much

MAGEE

CROSS

1 detail. The identity of the particular Japanese or  
2 the unit to which he belonged is quite insignificant.  
3 Having admitted the credibility of this witness, the  
4 scope of your cross-examination has, of course, been  
5 very severely limited. We all quite understand your  
6 position. Cross-examination is exceedingly difficult  
7 under these circumstances, but that is no reason why  
8 you should persist unnecessarily.

9 MR. BROOKS: If the Court please, I wanted  
10 to show that there was a difficulty for an investi-  
11 gator. If there was any punishment attempted it would  
12 be difficult to identify anyone. They just couldn't  
13 pick out any soldier and shoot him because someone  
14 else had committed an act, and that is what I was  
15 trying to bring out by his testimony.

16 Q Mr. Magee, you said that this Japanese in-  
17 vestigator laughed when you showed him some Chinese  
18 writing about this rape case. Could this man read  
19 Chinese? Do you know what he was laughing about?

20 MR. SUTTON: The witness has not said  
21 anything about any Chinese writing about a rape case.

22 Q He certainly did. Did I misunderstand you,  
23 Mr. Magee? I thought you said you had showed this  
24 man something in writing and he laughed at that.

25 A When I took a drunken Japanese soldier to a

MAGEE

CROSS

1 sentry and delivered him to him I wrote on my hand  
2 just a few Chinese characters. I said, "one woman,  
3 two Japanese men," and pointed to the house and the  
4 man understood what I meant. Whether he was  
5 laughing at what I meant or whether he was laughing  
6 at the man having left his belt behind and was having  
7 difficulty with his trousers, I don't know.

8 May I speak? In your former question, there  
9 is no question but that the Japanese could have found  
10 out who those people were. We couldn't, but if they  
11 had their own men around the city they had their own  
12 means of identification. If there was any real de-  
13 sire to stop this thing they could have stopped it.  
14 If they had shot twenty-five men the thing would have  
15 stopped.

16 THE PRESIDENT: The further the cross-  
17 examination goes the less favorable it becomes for  
18 the defense. You have to decide, Captain Brooks,  
19 whether you can profitably carry on this cross-  
20 examination.

21 MR. BROOKS: I believe the witness is  
22 trying to be fair, your Honor.

23 Q You don't mean though that these men should  
24 have been shot indiscriminately, do you?

25 A Certainly not.

MAGEE

CROSS

1 Q I understand there were 308 incidents re-  
2 ported by your committee up to the -- I believe it  
3 was February, or January, 1938, is that true?

4 THE PRESIDENT: Now, what point -- you must  
5 ask a question on that, not ask him whether it is  
6 true. You must base a question on that statement  
7 in the report.

8 Q I will withdraw the question. Mr. Magee,  
9 how many reports did your committee report up to the  
10 first part of 1938, if you remember?

11 A I don't remember.

12 Q Now, on the 13th of December when the  
13 Japanese started coming into the city, what did the  
14 Chinese soldiers do with their weapons and their  
15 uniforms?

16 A They threw them away. I took personally  
17 and many of us foreigners took the weapons from these  
18 men and threw them away. Who could blame them if  
19 they changed into civilian uniform? I knew a number  
20 of cases, talked to Chinese soldiers who had given  
21 themselves up, just a few, some of them had fainted  
22 when they were being killed, and they told me it  
23 made no difference whatsoever. A Dane, living fif-  
24 teen miles outside the city, told me he had seen a  
25



MAGEE

CROSS

1 soldier giving himself up. When he went back to  
2 Nanking he saw the body of a soldier, apparently  
3 beaten to death.

4 Q Did any of these soldiers dressed in civilian  
5 clothes act as spies and saboteurs and snipe and shoot  
6 at the Japanese sentries and soldiers at night, or  
7 do you know?

8 A I never heard of a single case of such a  
9 thing happening inside the city after the city had  
10 been taken.

11 Q I take it from your answer then that such  
12 things were common outside of the city. Is that  
13 correct, or not?

14 A It is common knowledge that there were  
15 Chinese guerrillas in many places, but I made that  
16 answer because I just don't know a single thing ex-  
17 cept that there were rumors that there were Chinese  
18 guerrillas in the country.

19 MR. BROOKS: No further questions.

20 MR. LEVIN: Mr. President, there will be  
21 no further cross-examination of Mr. Magee by the  
22 defense.

23 MR. SUTTON: There is no redirect examination  
24 of this witness.

25 THE PRESIDENT: Does he want to leave Japan?

1 MR. SUTTON: We would like permission  
2 for the witness to leave Japan and return to America.

3 THE PRESIDENT: He will be released on the  
4 same terms as the witness yesterday.

5 (Whereupon, the witness was excused.)

6 THE PRESIDENT: Mr. Chief Prosecutor.

7 MR. KEENAN: We call as the next witness  
8 Henry Pu-Yi.

9 MARSHAL OF THE COURT: Mr. President, the  
10 witness is in court and will now be sworn.  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

PU-YI

DIRECT

1 H E N R Y PU-YI, called as a witness on behalf  
2 of the prosecution, being first duly sworn,  
3 testified as follows:

4 THE PRESIDENT: Has the interpreter been  
5 sworn?

6 LANGUAGE SECTION CHIEF: Yes.

7 THE PRESIDENT: Mr. Chief Prosecutor.

8 DIRECT EXAMINATION

9 BY MR. KEENAN:

10 Q Will you state your full name, your place  
11 of birth, and give a brief outline of your history?

12 A I was born in Peking. My name is Pu-Yi,  
13 and the Manchurian last name is Aishinjeher. I was  
14 born in 1906. 1909 I was enthroned as Chinese Em-  
15 peror. 1911 revolution started in China.

16

17

18

19

20

21

22

23

24

25

PU-YI

DIRECT

W  
h  
a  
l  
e  
n  
&  
D  
u  
d  
a

1 MR. KEENAN: Is the witness familiar with  
2 the red light?

3 MARSHAL OF THE COURT: He is, Mr. Keenan.

4 Q When you were enthroned in 1909, will you  
5 state whether or not your parents were living, and  
6 where you resided?

7 A In 1909 when I was enthroned, my father was  
8 in Peking. Name is Aishinjeher Tsai-Fen. My mother was  
9 in Peking also. Her name was Aishinjeher -- My mother  
10 was in Peking. Her name was Kuaerchia. At that time  
11 the revolution started under the Sun Yat-sen and  
12 started out a new revolutionary move.

13 MR. KEENAN: Do you want to object to some-  
14 thing, do you? Wait a minute.

15 MR. LEVIN: I want the microphone to address  
16 the Court, Mr. President.

17 MR. KEENAN: Just a moment. Is there an  
18 objection to some procedure here or some question that  
19 is being asked? If there is, I am very glad to give up  
20 the microphone.

21 MR. LEVIN: Of course it is a matter of  
22 procedure.

23 MR. KEENAN: May it please the Court, I am  
24 conducting this examination in conformity with the  
25 rules of the court. If there is an objection, I am



PU-YI

DIRECT

1 very glad to give way to counsel,

2 THE PRESIDENT: Mr. Levin,

3 MR. LEVIN: We should like to inquire as to  
4 whether or not the witness is reading from notes in  
5 giving his answers to the questions that are propounded  
6 and if he is we request the Court issue the same  
7 directions to him as it did to other witnesses; in  
8 other words, that he may refresh his recollection on  
9 matters, but not to use it to read from.

10 THE PRESIDENT: I noticed he was referring  
11 to a paper which he held in his hand. I will give him  
12 that direction.

13 Witness, you cannot refresh your memory from  
14 your notes without the permission of the Tribunal.

15 THE WITNESS: I have only with me simple dates  
16 and months, and so forth, no detailed documents.

17 THE PRESIDENT: Proceed, Mr. Chief Prosecutor.

18 A (Continuing) Sun Yat-sen was a great man,  
19 At that time the officials of the Chinese Imperial  
20 Government was very corrupt.

21 MR. KEENAN: Just a minute. May we ask the  
22 official of the Court who is translating into English  
23 to raise his voice a little bit so that we do not have  
24 to use headphones while examining a witness? I think  
25 if he speaks a little louder we can hear quite plainly



PU-YI

DIRECT

1 very glad to give way to counsel.

2 THE PRESIDENT: Mr. Levin,

3 MR. LEVIN: We should like to inquire as to  
4 whether or not the witness is reading from notes in  
5 giving his answers to the questions that are propounded  
6 and if he is we request the Court issue the same  
7 directions to him as it did to other witnesses; in  
8 other words, that he may refresh his recollection on  
9 matters, but not to use it to read from.

10 THE PRESIDENT: I noticed he was referring  
11 to a paper which he held in his hand. I will give him  
12 that direction.

13 Witness, you cannot refresh your memory from  
14 your notes without the permission of the Tribunal.

15 THE WITNESS: I have only with me simple dates  
16 and months, and so forth, no detailed documents.

17 THE PRESIDENT: Proceed, Mr. Chief Prosecutor.

18 A (Continuing) Sun Yat-sen was a great man,  
19 At that time the officials of the Chinese Imperial  
20 Government was very corrupt.

21 MR. KEENAN: Just a minute. May we ask the  
22 official of the Court who is translating into English  
23 to raise his voice a little bit so that we do not have  
24 to use headphones while examining a witness? I think  
25 if he speaks a little louder we can hear quite plainly

PU-YI

DIRECT

1 in this courtroom.

2 A (Continuing) I was the godson of Teh-tsun  
3 Emperor, Lun-yu Empress was my mother. Lun-yu  
4 Empress was very much in favor of China to change to  
5 form of republic government. She decided to give the  
6 power to the revolutionary party, the power of govern-  
7 ing China to the revolutionary party.

8 After the establishment of the government of  
9 the Republic of China, the government expressed the  
10 appreciation of the Lun-yu Empress move to give the  
11 power, the governing power -- give up the governing  
12 power automatically. To that they expressed the appre-  
13 ciation.

14 Q What year was it that the Chinese Republic  
15 was recognized and that you ceased to reign as Emperor  
16 of China?

17 A 1911 the revolution succeeded.

18 Q You were then five years of age?

19 A Yes.

20 Q Where did you live after you ceased to be the  
21 Emperor of China?

22 A Still in Peking. The Chinese government made  
23 agreement with the royal family to supply the family  
24 with four million Chinese dollars every year, treat  
25 the royal family as foreign royalties. At that time

PU-YI

DIRECT

1 they have more or less a Home Ministry taking care of  
2 the internal affairs, which was very corrupt.

3 Q Where did you make your home in Peiping after  
4 you ceased to be Emperor?

5 A In the Peking Palace.

6 Q How long did you continue to live in Peiping  
7 after you ceased to be Emperor?

8 A In 1924 civil war broke out in China between  
9 General Feng Yu-hsiang and the Manchurian Chang Tso-lin.  
10 General Fen Yu-hsiang arrest the Chinese President,  
11 **Tsao Kuan**, and also ordered the royal family to move  
12 out of the palace within half a day.

13 Q Where did you go to from Peiping at that time,  
14 to what city?

15 A I moved to my father Tsai-Fen's home; didn't  
16 leave Peking.

17 Q In what year did you leave Peiping?

18 A I would like to state about the move I made  
19 to the Japanese Embassy.

20 Q What year was it that you moved to the Japan-  
21 ese Embassy, and where was the Embassy?

22 A At that time the newspaper there was carrying  
23 threatening news regarding me all over Peking. My  
24 English teacher, Mr. Johnston, and I both went to a  
25 German hospital.

PU-YI

DIRECT

1 Q Can you tell us about how old you were when  
2 you did go to the Japanese Embassy?

3 A I was nineteen, according to Chinese ways of  
4 counting. But actual age is eighteen.

5 Q Do you know under what arrangements or  
6 through whom, through whose negotiations, you went to  
7 the Japanese Embassy?

8 A Mr. Johnston arranged with the British Am-  
9 bassador, Mr. McClay. Mr. McClay arranged it. And  
10 also the Dutch Minister, Mr. Oudendyk. The British  
11 Ambassador said that the Embassy was too small to  
12 accommodate them. They stated that they had better go  
13 to the Japanese Embassy.

14 Q Who if anyone went with you to the Japanese  
15 Embassy?

16 A Mr. Johnston and Mr. Cheng Hsiao-hsi went  
17 with me.

18 Q Who was Mr. Johnston?

19 A He was my English teacher.

20 Q How long did you stay at the Japanese Embassy?

21 A About half a year or a little more.

22 Q And where did you go from there?

23 A After I got the permission from the Chinese  
24 government head, Mr. Tuan Chi-jui, I went to Tientsin.

25 Q How long did you live in Tientsin?

PU-YI

DIRECT

1           A    From when I was twenty to twenty-seven,  
2   roughly, about seven years.

3           THE PRESIDENT: This is a convenient break,  
4   Mr. Chief Prosecutor.

5           We will adjourn now until half past one.

6                   (Whereupon, at 1200, a recess was taken.)  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25



PU-YI

DIRECT

G  
r  
e  
e  
n  
b  
e  
r  
g  
&  
B  
a  
r  
t  
o  
n1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

## AFTERNOON SESSION

The Tribunal met, pursuant to recess, at  
1330.

MARSHAL OF THE COURT: The International  
Military Tribunal for the Far East is now resumed.

THE PRESIDENT: Mr. Chief Prosecutor.

- - -

H E N R Y P U - Y I, called as a witness on behalf  
of the prosecution, resumed the stand and testi-  
fied as follows:

BY MR. KEENAN (Continued):

Q I believe, just before the recess, you were  
asked how long you lived in Tientsin, and you answered:  
from 1924 to 1927.

A That's right.

Q And where did you go to in 1927?

THE WITNESS: I would ask the Court's per-  
mission to let me read into the notes which I have got  
with me now.

THE PRESIDENT: Yes?

MR. KEENAN: The witness asked the Court for  
permission to look to his notes for data as to dates  
and places.

THE PRESIDENT: Oh, yes, yes. Actually, there

PU-YI

DIRECT

1 is no contest about these things, Mr. Keenan. I do  
2 not think the defense will raise any objection even  
3 if the notes were not made at the time. Probably  
4 they were not. The use of notes becomes important  
5 only when contested questions of fact arise.

6 Let him use his notes until the defense  
7 objects.

8 Q (Continuing) The question is: Where did  
9 you go from Tientsin?

10 A From Tientsin I went to Port Arthur.

11 Q Tell us, please, what happened and under  
12 what circumstances you went to Port Arthur from  
13 Tientsin.

14 A The time was when in Tientsin there was some  
15 skirmishes between the Japanese Army and the Chinese  
16 Army, and also the time was when the September 18th  
17 Incident broke out in Manchuria when Japan occupied  
18 that area.

19 Q When was it that the trouble began -- the  
20 fighting -- in Manchuria, if you remember?

21 A 1931.

22 Q And can you tell us the month of 1931?

23 A The 18th of September, 1931.

24 Q What happened on the 18th of September, 1931?

25 A The Japanese Army occupied Manchuria with

PU-YI

DIRECT

1 force.

2 Q In answering these questions, Mr. Pu, I wish  
3 that you would tell the Court in instances what you  
4 actually saw and heard yourself, and differentiate  
5 from matters that came to your attention through your  
6 advisers or otherwise.

7 THE PRESIDENT: Well, he cannot use his  
8 notes on this phase unless they were made at the  
9 time.

10 A At the time of the outbreak of Manchuria  
11 Incident, I was a resident in Tientsin; and during  
12 that time there were many queer events happening  
13 around me.

14 Q Will you tell us what you mean by "queer  
15 events" or happenings about you at that time?

16 A Well, there were many events. Just to  
17 illustrate one of the cases, there was once a fruit  
18 basket sent me in the name of a Chinese.

19 Q What was in the fruit basket, if you know?

20 A There was contained a bomb.

21 Q Did you find out or were you able to find  
22 out who did send the bomb to you?

23 A I couldn't find or discover who had sent me  
24 that.

25 Q What steps did the Japanese take toward you

PU-YI

DIRECT

1 after the invasion of Manchuria in 1931, September?

2 A There was then a series of threats and  
3 terroristic acts happened.

4 Q From whom came the threats?

5 A We didn't know at that time.

6 Q What time were these threats addressed to you  
7 that you referred to in your testimony? When, with  
8 reference to September of 1931?

9 A That was at the time when the September 18th  
10 Incident broke out.

11 Q Did you receive a visit from any prominent  
12 Japanese official about that time?

13 A That time the Japanese commander of the  
14 Japanese garrison forces in Tientsin, by the name of  
15 KASHII, came to see me.

16 Q And what did he say to you?

17 A He said in essence that it is very dangerous  
18 and risky for me to stay in Tientsin and vigorously  
19 persuaded me to go to Dairen,

20 MR. KEENAN: I want to ask the translator  
21 whether the witness said "Dairen" or Port Arthur" in  
22 his answer.

23 CHINESE INTERPRETER: "Port Arthur," please.  
24 I am sorry.

25 MR. KEENAN: Then the answer is corrected.

PU-YI

DIRECT

1 He said that he told him to go to Port Arthur. I am  
2 talking to the translator, not to the witness.

3 THE PRESIDENT: He said "Port Arthur."

4 Q And did you go to Port Arthur, or what  
5 happened?

6 A Under the compulsion of this Japanese  
7 commander, that is, General KASHII, commander of  
8 Japanese garrison forces in Tientsin, I was compelled  
9 to go to Port Arthur.

10 Q With whom were you living at Tientsin? Who  
11 was in your household before you left, as you said,  
12 for Port Arthur under compulsion of the Japanese Army  
13 officer?

14 A I was then residing in Tientsin with my wife  
15 and my father.

16 Q Was your life then an entirely private one  
17 without any official connection of any kind?

18 A That's right.

19 Q And when you went under compulsion to Port  
20 Arthur, did your family accompany you there?

21 A No, they went after I arrived there.

22 Q Who did accompany you to Port Arthur?

23 A I had with me two Chinese, one by the name  
24 of Cheng-Hsiaohsu, and the other by the name of Cheng-  
25 Tsui.



PU-YI

DIRECT

1 Q What did you do when you got to Port Arthur?

2 A I was residing there without doing anything  
3 for about half a year.

4 Q And then what happened after the half year  
5 expired?

6 A After the lapse of half a year, the commander  
7 of -- the Japanese commander of Kwantung Army, HONJO,  
8 sends his aide, then Colonel ITAGAKI, to see me.

9 Q Was that **Seishiro** ITAGAKI, one of the  
10 accused in this courtroom?

11 A Yes.

12 Q And what did Colonel ITAGAKI say to you on  
13 that occasion?

14 A He told me that the most eastern political  
15 regime, under General Chang Hsueh-liang, is antagonistic  
16 to the Japanese people as well as Chinese people.

17 Q Did General ITAGAKI speak Chinese, or did he  
18 talk to you through an interpreter?

19 A He spoke to me through an interpreter.

20 Q And what else did Colonel ITAGAKI say to you  
21 on that occasion?

22 A He said, as a result of this antagonism on  
23 the part of General Chang Hsueh-liang, the Manchurian  
24 people were suffering and that the series of events  
25

PU-YI

DIRECT

1 that happened in that area had impeded the vested  
2 rights of the Japanese people.

3 Q When you haven't finished your answer, and  
4 the red light goes out, please complete it; and we  
5 don't want to stop you from answering the question  
6 completely with these translations.

7 THE PRESIDENT: I think he had better observe  
8 the red light, Mr. Chief Prosecutor.

9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

PU-YI

DIRECT

W  
O  
l  
f  
&  
S  
p  
r  
a  
t  
t

1 MR. KEENAN: Apparently, there is not alone  
2 a misunderstanding at times by the witness, but by the  
3 Court. What I am pointing out to him is that if he  
4 is in the midst of a sentence or an answer, and there  
5 is a red light going on, it breaks it off; that I  
6 would wish him automatically to continue the answer  
7 without further questions on that particular point.

8 A In order to get rid of the Chinese militar-  
9 ists and to secure social welfare of the -- to secure  
10 social welfare for the people in the northeastern  
11 provinces, he said he was willingly prepared to put  
12 up a new political regime in Manchuria.

13 Q Was that what Colonel ITAGAKI told you?

14 A Yes.

15 Q And you may state whether or not he told you  
16 he was acting for himself or under orders from his  
17 superiors in the Japanese Army.

18 A He said he came to me on the order of the  
19 Commander-in-Chief, General HONJO.

20 Q And did he make any specific proposition to  
21 you as to any office that he wanted you to take?

22 A Yes.

23 Q Tell us about that part of the conversation?

24 A He said he hoped that since I was a Manchurian  
25 that I should lead this political -- this new political

PU-YI

DIRECT

1 regime.

2 Q What was your answer to this offer on the  
3 part of Colonel ITAGAKI for his army?

4 A About that part of the proposition I haven't  
5 finished yet. Shall I continue that part of the con-  
6 versation?

7 Q Yes, please.

8 A He said the Japanese Government has no --  
9 has absolutely no territorial design on Manchuria,  
10 and that the Japanese Government is determined to  
11 respect the sovereignty of any Manchurian Regime that  
12 would be set up.

13 Q When Colonel ITAGAKI asked you to accept the  
14 position as head of a new Manchurian State, did you say,  
15 "I will," or "I will not," in substance?

16 MR. LEVIN: Mr. President --

17 THE MONITOR: We haven't finished translating  
18 yet.

19 THE PRESIDENT: Mr. Levin.

20 MR. LEVIN: We object to that question on the  
21 ground it is leading and suggestive, especially the  
22 latter part of it.

23 MR. KEENAN: Your Honor, if I might briefly  
24 state to the Court, it is obvious that in questioning  
25 a witness in a foreign language, there of necessity



PU-YI

DIRECT

1 has to be a translation into the Chinese language  
2 and into the Japanese language as well as the English  
3 language, two of which are quite unfamiliar to the  
4 witness, and at least two of which are quite unfamiliar  
5 to spokesmen here; where there has to be these in-  
6 terruptions that are quite necessary, it is difficult  
7 for counsel to follow the trend of the conversation.

8 So with great respect to the Court and to  
9 opposing counsel, I suggest when we come to matters of  
10 history, where there cannot be a subject of much  
11 controversy, there ought to be some liberality permitted,  
12 in orderly procedure, in attempting to direct the wit-  
13 ness's attention to pertinent parts of the conversation.  
14 In contribution to the orderly procedure, we believe  
15 there is nothing suggestive by way of the answer. Of  
16 course we know what the answer is going to be before we  
17 ask a witness a question of this type.

18 THE PRESIDENT: I see nothing objectionable  
19 in the question as put. The objection is overruled.

20 MR. KEENAN: Will the question be read again  
21 to the witness?

22 (Whereupon, the last question was  
23 read by the official court reporter, as  
24 follows:)

25 "Q When Colonel ITAGAKI asked you to accept the

PU-YI

DIRECT

1 position as head of a new Manchurian State, did you say,  
2 'I will,' or 'I will not,' in substance?"

3 A I refused.

4 Q How long did that conversation between  
5 Colonel ITAGAKI and yourself take, approximately?

6 A In about -- over two hours.

7 Q Why did you refuse the offer of the Japanese  
8 Army made through Colonel ITAGAKI to become the head  
9 of the new Manchurian State?

10 A It was because ITAGAKI then demanded that  
11 as soon as the new Manchurian Regime is set up we shall  
12 employ Japanese as Manchurian officials, and treat the  
13 Japanese as we treat the Chinese and Manchurians.

14 Q Did you have any knowledge of what had hap-  
15 pened in Manchuria after the Japanese had invaded,  
16 and before this offer was made by ITAGAKI to make you  
17 head of the State?

18 A Well, after they went into Manchuria they  
19 practically occupied the whole area of Manchuria.  
20 That was the situation. There was then in Mukden  
21 an organization by the name of the Local Peace  
22 Preservation Commission, set up by the Japanese, in  
23 which DOHIHARA was the active member. He was then --  
24 DOHIHARA was then the Mayor of Mukden, and exercised  
25 a great deal of pressure to those Chinese officials

PU-YI

DIRECT

1 who were left behind at that time in Mukden.

2 Q Can you tell us what the conduct of the  
3 Japanese Army was in Manchuria after they arrived  
4 and took possession of Manchuria, as you stated  
5 before?

6 A As far as this aspect is concerned, I only  
7 learned from the newspapers the Japanese Army ex-  
8 panded day by day in the area of Manchuria and occu-  
9 pied all this area.

10 Q Had you ever expressed a desire to anyone  
11 to become the head of the Manchurian State?

12 A No, I refused ITAGAKI.

13 Q After you refused ITAGAKI did you see him  
14 again?

15 A I saw him once after the refusal.

16 Q I don't know whether we covered that exactly  
17 or approximately, but can you tell us how long it was  
18 after the Mukden Affair in September of 1931 -- how  
19 long after that time it was that you had this first  
20 proposition made to you by ITAGAKI?

21 A The first proposition was made to me, as I  
22 said, about half a year after I stayed in Port  
23 Arthur. I went to Port Arthur in the winter of 1931.

24 Q Can you describe the attitude of ITAGAKI  
25 after you refused to accept his offer of becoming

PU-YI

DIRECT

1 head of the Manchurian State?

2 A After I refused him, ITAGAKI was very un-  
3 satisfied and went back to his hotel.

4 Q Did you talk with any of your advisers after  
5 this first talk with ITAGAKI?

6 A ITAGAKI asked my advisers, Mr. Cheng Hsiao-  
7 shu and Mr. Wang to his hotel to have a conversation  
8 with them. At that time ITAGAKI told my two advisers  
9 that this is a determined policy of the Kwantung Army,  
10 and that in case I refused they would adopt drastic  
11 action against me.

12

13

14

15

16

17

18

19

20

21

22

23

24

25



PU-YI

DIRECT

1 head of the Manchurian State?

2 A After I refused him, ITAGAKI was very un-  
3 satisfied and went back to his hotel.

4 Q Did you talk with any of your advisers after  
5 this first talk with ITAGAKI?

6 A ITAGAKI asked my advisers, Mr. Cheng Hsiao-  
7 shu and Mr. Wang to his hotel to have a conversation  
8 with them. At that time ITAGAKI told my two advisers  
9 that this is a determined policy of the Kwantung Army,  
10 and that in case I refused they would adopt drastic  
11 action against me.

12

13

14

15

16

17

18

19

20

21

22

23

24

25



PU-YI

DIRECT

G  
o  
l  
d  
b  
e  
r  
g  
&  
Y  
e  
l  
d  
e  
n

1 THE PRESIDENT: Mr. Levin.

2 MR. LEVIN: Mr. President, I understood by  
3 the ruling of the Court, of the Tribunal, that the  
4 witness could not use his notes on this phase of  
5 the case. I am advised by my associates that the  
6 witness has been using notes without the direction  
7 of the Court and I request that the Court direct  
8 the witness not to use those notes except to refresh  
9 his memory in accordance with the ruling of the Court.

10 THE PRESIDENT: He has been observed by  
11 one of my colleagues using notes. I told him if the  
12 notes were not made at the time, he cannot use them.  
13 That is the first requisite: Were the notes made at  
14 the time?

15 THE WITNESS: These notes contain dates  
16 and months which I took down a few days before.

17 THE PRESIDENT: A few days before when?

18 THE WITNESS: Just a few days before today.

19 THE PRESIDENT: He cannot use those notes.  
20 Objection upheld.

21 THE WITNESS: As far as events are concerned,  
22 I don't have to resort to these notes; but as far as  
23 dates are concerned, I would request the Court's  
24 permission to let me refer to them.

25 MR. KEENAN: We will frame our questions

PU-YI

DIRECT

G  
o  
l  
d  
b  
e  
r  
g  
&  
Y  
e  
l  
d  
e  
n

1 THE PRESIDENT: Mr. Levin.

2 MR. LEVIN: Mr. President, I understood by  
3 the ruling of the Court, of the Tribunal, that the  
4 witness could not use his notes on this phase of  
5 the case. I am advised by my associates that the  
6 witness has been using notes without the direction  
7 of the Court and I request that the Court direct  
8 the witness not to use those notes except to refresh  
9 his memory in accordance with the ruling of the Court.

10 THE PRESIDENT: He has been observed by  
11 one of my colleagues using notes. I told him if the  
12 notes were not made at the time, he cannot use them.  
13 That is the first requisite: Were the notes made at  
14 the time?

15 THE WITNESS: These notes contain dates  
16 and months which I took down a few days before.

17 THE PRESIDENT: A few days before when?

18 THE WITNESS: Just a few days before today.

19 THE PRESIDENT: He cannot use those notes.  
20 Objection upheld.

21 THE WITNESS: As far as events are concerned,  
22 I don't have to resort to these notes; but as far as  
23 dates are concerned, I would request the Court's  
24 permission to let me refer to them.

25 MR. KEENAN: We will frame our questions

PU-YI

DIRECT

1 with reference to the dates to the approximate time,  
2 and I think, perhaps, we can dispose of any neces-  
3 sity of getting the exact time.

4 MR. FURNESS: If your Honor please, the  
5 defense does not see why this witness should not  
6 be treated as any other witness is with respect to  
7 these notes.

8 THE PRESIDENT: I do not understand your  
9 objection. I have dealt with it in your favor.  
10 You could not have heard my decision. I said he  
11 was not to use his notes.

12 MR. FURNESS: We thought that Chief Pros-  
13 ecutor was arguing that he should be able to use  
14 them.

15 THE PRESIDENT: No.

16 MR. KEENAN: May I proceed with the examin-  
17 ation?

18 THE PRESIDENT: You may.

19 BY MR. KEENAN (Continued):

20 Q The conversation that you have related that  
21 took place between the advisers, these Chinese advis-  
22 ers you had, with Colonel ITAGAKI, was that repeated  
23 to you by them after they talked with ITAGAKI?

24 A Yes.

25 Q Have you completed in substance the

PU-YI

DIRECT

1 conversation which your Chinese advisers reported to  
2 you that they had with ITAGAKI, or was there some-  
3 thing more that they said that you have not related?

4 A They told me that unless I accede to this  
5 proposition there will be danger against my life;  
6 so my advisers -- in addition to the two I mentioned  
7 there was another, Mr. Loh Tseng Yu, all advised me  
8 to accept the proposition.

9 Q Did your advisers relate the manner em-  
10 ployed by ITAGAKI, his gestures and his tone of  
11 voice, in the conversation he had with them?

12 A At that time ITAGAKI was assuming a very  
13 stern and fierceful attitude.

14 Q Did ITAGAKI tell your advisers, as they  
15 related the conversation to you, what the attitude  
16 or the action of the Japanese Army would be towards  
17 the Manchurians if you did not accept his offer to  
18 become the head of that new government?

19 A They did not mention that.

20 MR. KEENAN: I will have to have that answer  
21 repeated. It is vital to this lawsuit and I didn't  
22 hear it.

23 (Whereupon, the last answer was read  
24 by the official court reporter.)

25 Q Did your advisers report to you who, if

PU-YI

DIRECT

1 anyone, ITAGAKI said insisted upon you becoming the  
2 head of the Manchurian state?

3 A General HONJO.

4 Q And what was General HONJO's position as an  
5 officer of the Japanese Army at that time?

6 A He was the Commander-in-Chief of the Japan-  
7 ese Kwantung Army then.

8 Q And do you know if there were many Japanese  
9 troops in Manchuria at that time or a few?

10 A That concern was their military affairs.  
11 I don't know.

12 Q Who was head of the Manchurian state at  
13 that time?

14 A At that time the only organization existing  
15 then was the so-called local peace maintenance com-  
16 mission.

17 Q And have you given us the name of all of  
18 the advisers that you had of the Chinese? Were there  
19 four or two or three?

20 A I had four advisers altogether then although  
21 all of them were Chinese. One was named Cheng Hsiao  
22 Hsu; the second, Loh Tseng Yu; the third, Wan Sheng Sze;  
23 the fourth, Cheng Ts'ui.

24 Q Did they have any official position with  
25 the Chinese National Government, any of these four



PU-YI

DIRECT

1 men that you have mentioned?

2 A No, none whatsoever.

3 Q Did you discuss with them whether or not  
4 you should accept the offer as it was repeated or  
5 the demands of ITAGAKI?

6 MR. KEENAN: Will we have time to complete  
7 this matter before the recess, your Honor?

8 THE PRESIDENT: Well, today we will adjourn  
9 at three to Monday at half-past nine, Mr. Chief  
10 Prosecutor.

11 THE INTERPRETER: The witness answers this:

12 A Although ITAGAKI was persistently putting  
13 the demands to me, I didn't want to accept them.  
14 At that time the democratic nations ~~was~~ not -- ~~we~~  
15 were not trying to resist the Japanese militarists.  
16 I alone as an individual would hardly be able to  
17 resist them.

18 Q Did you have a desire to resist the  
19 Japanese or a desire to collaborate with them?

20 A My desire then was to refuse them, but  
21 under the military force and the pursuant advice on  
22 the part of my advisers, I to view of saving my own  
23 life had to accept it.

24 Q Was any statement made to you that your life  
25 would be in danger if you did not accept ITAGAKI's

PU-YI

DIRECT

1 offer?

2 A That is very true.

3 Q And from whom did you learn of any such  
4 threat to your life if you refused to accept the  
5 offer to head the Manchurian state?

6 A Firstly, ITAGAKI said that -- he said if  
7 I refused, I would be subject to the risk of life.  
8 Secondly, my advisers advised me to accept it on  
9 the same line of reasoning. They said that if I  
10 refused it, my life might be threatened. Thirdly,  
11 I was then residing in Port Arthur which is a  
12 Japanese -- where I was in the palm of the Japanese  
13 hands; and if I refused them and came out of Port  
14 Arthur, the Japanese may think I would spill the  
15 secret.

16 Q Did you say that the Japanese would be  
17 fearful that you would disclose a secret if you  
18 left Port Arthur, was that your answer?

19 A Yes, that is right.

20 Q How big a country was Manchuria to be,  
21 how large a state, with what territorial expanse  
22 or confine and how many people, if you know?

23 A Well, according to the ordinary estimate,  
24 the population was about thirty million.

25 Q Had you had any experience of your own in

PU-YI

DIRECT

1 administering the affairs of a large country?

2 A Politically I have no experience in admin-  
3 istering the affairs of a big nation because when  
4 I was young, I had already surrendered my political  
5 power to the National Government.

6 THE PRESIDENT: This is a convenient break.  
7 We will adjourn now until half-past nine on Monday  
8 morning next.

9 (Whereupon, at 1500, an adjournment  
10 was taken until Monday, 19 August, 1946, at  
11 0930.)

12 - - - -  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25